

## **REMARKS**

### **Petition for Extension of Time**

A petition for a 2 month extension of time is enclosed along with the 2 month extension fee. Approval of the time extension is respectfully requested.

### **Request for Information under 37 CFR 1.105:**

The following information was requested in the office communication:

#### **A.**

Question: Any information regarding sales or public distribution anywhere in the world more than one year prior to the filing date of the application including if this was an obscure solitary occurrence.

Applicant's Response: In November of 1995, approximately 250 plants of Weigela 'Piccolo' were sold by the inventors in the Czech Republic to Plantipp. Plantipp is the assignee of the present pending patent application. None of these plants were publicly sold. These plants were only used by Plantipp for evaluation trials of the variety.

In October of 1999, a few thousand plants were sold under the name Weigela 'Pink Poppet' in Australia to wholesale growers for evaluation trials and to build up a stock of plants.

In the Spring of 2000, a few thousand plants were sold under the name Weigela 'Pink Poppet' in the United Kingdom to wholesale growers for evaluation trials and to build up a stock of plants.

**B.**

Question: A copy of any publications or advertisements relating to sales or public distribution more than one year prior to the application date of the application.

Applicant's Response: To applicant's knowledge, there were no publications or advertisements relating to sales or public distribution prior to August 9, 2000.

**C.**

Question: Any information regarding access to the plant that could be derived from the printed PBR document.

Applicant's Response: None is known to the Applicants.

**D.**

Question: Any information that would indicate that a plant breeder would not know how to successfully reproduce the plant.

Applicant's Response: No information is known.

The present response is believed to satisfy the Request for Information under 37 CFR 1.105.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Bourgeois', with a long, sweeping horizontal stroke extending to the right.

Mark P. Bourgeois  
Reg. No. 37,782